

APPENDIX D

Wilderness CRFs

Changes Between Draft and Final Environment Impact Statement

- Changed appendix letter from B to D.
- Made minor editorial and spelling corrections.

APPENDIX D

WILDERNESS CFRs

Outfitters must comply with all regulations that pertain to their operations, unless specific authorization is given. A partial list of the regulations is provided here. Refer to CFR (Code of Federal Regulations) 36 part 261 for parks, forests and public property for a complete list. These are legal mitigation measures for the wilderness and backcountry areas. Some can be cross-referenced with Mitigation Measures listed in Chapter 2. A complete list of CFRs is available at www.gpo.gov/fdsys/browse/collectionCfr.action?collectionCode=CFR.

General Prohibitions:

Regulations in all areas of the Okanogan-Wenatchee National Forest, including wilderness and backcountry areas.

261.5d) Leaving a fire without completely extinguishing.

e) Allowing a fire to escape from control.

261.6a) Cutting or otherwise damaging any timber, tree or other forest product, except as authorized by a special authorization.

261.9a) Damaging any natural feature or other property of the United States.

b) Removing any natural feature or other property of the United States.

c and d) Damaging or removing any plant that is classified as threatened, endangered, sensitive, rare, or unique species.

g and h) Digging in, damaging, or removing any prehistoric, historic, or archaeological resource, structure, site, or artifact.

261.10 a) Constructing, placing or maintaining any kind of road, trail, structure, fence, enclosure, communication equipment, or other improvement on National Forest Systems land without a special use authorization, contract, or approved operating plan.

d) Discharging a firearm or any other implement capable of taking a human life, causing injury, or damaging property as follows:

1. In or within 150 yards of a residence, building, campsite, developed recreation site or occupied area.

2. Across or on a Forest Development road or a body of water adjacent thereto, or in any manner or place whereby any person or property is exposed to injury or damage as a result in such discharge.

i) Operating or using in or near a campsite, developed recreation site, or over an adjacent body of water without a permit, any device which produces noise such as a radio, television, musical instrument, in such a manner so as to unreasonably disturb any person.

261.11 b) Possessing or leaving refuse, debris, or litter in an exposed or unsanitary condition.

c) Placing in or near a stream, lake, or other water any substance which does or may pollute a stream, lake, or other water.

- d) Failing to dispose of all garbage, including any paper, can, bottle, sewage, waste water or material either by removal from the site or by depositing it into receptacles or at places provided for such purposes.

261.16 The following are prohibited in National Forest Wilderness:

- a) Possessing or using a motor vehicle, motorboat or motorized equipment except as authorized by federal Law or regulation.
- b) Possessing or using a bicycle or hang glider.
- c) Landing an aircraft, or dropping or picking up any material, supplies, or person by means of aircraft, including a helicopter.

Regulations specific to wilderness areas in Washington State:

From Forest Supervisor Order #141, (revised 4/93)

- Entering or being in the Lake Chelan Sawtooth and Pasayten with a group consisting of more than 12 persons or more than 18 pack and saddle animals. 36 CFR 261.58f
- Caching, leaving or storing equipment, personal property or supplies while unattended for more than 48 hours. 36 CFR 261.57f
- Using or possessing any type of wagon, cart or other wheeled vehicle. 36 CFR 261.587h
- Possessing or transporting any livestock feed other than processed grain. 36 CFR 261.58t
- Grazing any pack or saddle animals within 200 feet slope distance of the shoreline of any lake. 36 CFR 261.57a and e
- Hitching, tethering, or hobbling any pack or saddle animals within 200 feet slope distance of any lake. 36 CFR 261.58aa
- Shortcutting a trail switchback. 36 CFR 261.55e
- Being in an area posted as being closed for restoration, wilderness restoration, or rehabilitation. 36 CFR 261.53b

Regulations specific to the Lake Chelan Sawtooth or Pasayten Wilderness Areas

From Okanogan and Wenatchee National Forests Order 08-04-74 (April 1992), specific to the Lake Chelan-Sawtooth Wilderness and unroaded portions of the Methow Valley and Chelan Ranger Districts between the Methow River and Lake Chelan.

- Hitching or tying and pack or saddle animal directly to any tree for an overnight period. 36 CFR 261.58aa
- Hitching or tying any pack or saddle animal to any object, including a highline, when the point of hitch or ties within 8 feet of any tree, for an overnight period, or so as to cause damage to the roots or bole of any tree, in the following area: (describes the Lake Chelan-Sawtooth Wilderness and the *unroaded portions of the Methow Valley and Chelan Ranger Districts between the Methow River and Lake Chelan*).

Regulations from Okanogan National Forest Order #353 (July 2001), specific to the Pasayten Wilderness:

- Hitching or tying and pack or saddle animal directly to any tree for an extended period, in the following area. (36 CFR 261.58aa) (a) Pasayten Wilderness, Okanogan-Wenatchee National Forest.
- Hitching or tying any pack or saddle animal to any object, including a highline, when the point of hitch or tie is within 8 feet of any tree, for an overnight period, or so as to cause damage to the roots or bole of any tree, in the following area: (a) Pasayten Wilderness, Okanogan-Wenatchee National Forest

Regulation from Okanogan and Wenatchee National Forests Order #08-07-104 (June 2000), specific to the Lake Chelan-Sawtooth Wilderness:

- No overnight camping with pack and saddle stock within one-half mile of West Oval Lake. 36 CFR 261.57
- No stock use within 500 feet of West Oval Lake. 36 CFR 261.58aa

Regulation from Pacific Northwest Region Order # R6-2009-001, within boundaries of the National Forest System.

Possessing, storing, or transporting any part of a tree or other plant, as specified in the order. For the purpose of this order, it is prohibited to possess or store hay or crop products that are not state-certified as weed free, to include any hay, hay cubes, straw, grain or other crop or mulch product within the National Forest System. 36 CFR 261.58(t)

This regulation does not apply to persons possessing or storing commercially-processed feed (feed pellets or steamed, rolled grains) or to persons possessing State-certified weed free hay or crop products packaged as bales, containers, or sacks, when also marked using official tags, twine, or other identification as required by the product State of origin, or in the possession of the original and current State documents which certify the hay or crop products meet or exceed the North American Weed Management Association, or comparable, certification standard.

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